

DETAILED ACTION

This office action is in response to application filed on April 19, 2005 in which claims 1-11 are presented for examination

Status of Claims

Claims 1-11 are pending; of which claims 1, 6, and 11 are in independent form.
Claims 1-11 are rejected under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendrick (US Publication 2002/0017557 A1) in view of Giobbi (US Publication 2002/0144116 A1).

With respect to claim 1, Hendrick discloses the limitation of "a digital voucher" (page 2, paragraph 0018) a data card which contains the information specific to either user and/or the network service provider to be accessed.

In addition, Hendrick discloses the limitation of "computing means arranged with a digital voucher reader" (page 2, paragraph 0020) as a data processor in communication with the data card reader.

It is noted, however, that Hendrick does not explicitly disclose the limitation of "a server storing digital content." On the other hand, Hendrick discloses (page 3, paragraph 0046) that his system is provided for managing digital rights of digital content over a network. Additionally, Giobbi discloses (page 6, paragraph 0056) a system that includes a digital content server.

It would have been obvious to one of the ordinary skill in the art at the time of that invention that managing digital rights via a network taught by Hendrick would include managing digital rights of the content made available via the digital content server as taught by Giobbi.

In view of the reasons stated above, Hendrick discloses the limitation of "said digital voucher stores access control information controlling the access to the digital content located on said server" (page 2, paragraph 0021) as the data card containing information that is used to gain access to one of the plurality of network service providers.

Furthermore, in view of the previously stated reasons, Hendrick discloses the limitation of "said computing means arranged with a digital voucher reader is arranged to communicate with said digital voucher and to transfer said access control information from said digital voucher to said server" (page 2, paragraph 0021) as an application program resident on the data processor, the application program being configured to automatically retrieve at least part of the information contained on the data card when the data card is in communication with said data card reader and to use the information to gain access to one of the plurality of network service providers via the network.

Finally, it is noted that Hendrick does not explicitly teach the limitation of "said server is arranged to give said computing means access to digital content located on the server based on the result of processing of said access control information." On the other hand Giobbi discloses the abovementioned limitation (page 7, paragraph 0058) as upon establishing the first wireless transmission link with one of the remote clients, the remote control serves as a system remote capable of displaying, scanning, and selecting the digital content available on the digital content server and downloading the selected digital content from the digital content server to the linked remote client, Where (page 7, paragraph 0062) the remote control contains a physical key initially acquired from a key provider in accordance with the present invention, and (page 2, paragraph 0022) the physical key may include the following data fields: user label, account number, software decryption key, and a custom storage area.

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate teachings of Giobbi into the system of Hendrick because it would improve access to digital content by providing centralized storage for it.

With respect to claim 2, Hendrick discloses the limitation of "the server is a specific server and the access control information comprises an identification number for accessing digital content located on the specific server" (page 2, paragraph 0021) as the information to gain access to a plurality of network service providers via network by using one of the default access numbers indicating a designated network service provider.

With respect to claim 3, Hendrick discloses the limitation of "the access control information comprises a digital right for accessing digital content located on any server" (page 3, paragraph 0046) as managing user rights of the digital content available on the network based on the digital rights information specific to the user which is contained on the data card.

With respect to claim 4, Hendrick discloses the limitation of "digital voucher is arranged with a reference to said server" (page 2, paragraph 0018) as a data card which contains the information specific to either the user and/or the network service provider.

With respect to claim 5, Hendrick discloses the limitation of "computing means arranged with a digital voucher reader is arranged to establish connection with said server by means of said reference" (page 2, paragraph 0021) as an application program resident on the data processor, the application program being configured to automatically retrieve at least part of the information contained on the data card when the data card is in communication with said data card reader and to use the information to gain access to one of the plurality of network service providers via the network.

With respect to independent claim 6, it is rejected in view of the reasons stated in the rejection of independent claim 1.

With respect to claim 7, it is rejected in view of the same reasons as stated in the rejection of claim 2.

With respect to claim 8, it is rejected in view of the same reasons as stated in the rejection of claim 3.

With respect to claim 9, Hendrick discloses the limitation of "reading a reference to said server from said digital voucher" (page 2, paragraph 0021) as retrieving at least a part of information contained on the data card to use the information to gain access to one of the plurality of network service providers via the network by using one of the default access numbers indicating a designated service provider.

With respect to claim 10, it is rejected in view of the same reasons as stated in the rejection of claim 5.

With respect to independent claim 11, it is rejected in view of the same reasons as stated in the rejection of independent claim 1.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Sorie (US Patent 6,386,457 B1), in which Sorie teaches the pre-paid card that can be used to control access to digital content such as television programs.
- b. Chatani et al. (EP 1,229,476 A2), in which Chatani teaches the method and system for controlling digital rights for the content accessed via the Interactive Computer Entertainment System through the use of the memory card storing user information and decryption keys.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KONSTANTIN SHEPELEV whose telephone number is (571)270-5213. The examiner can normally be reached on Mon - Thu 8:30 - 18:00, Fri 8:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2131

/Konstantin Shepelev/

7/1/2008

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